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JAN 04 2005

In re Application of	:	<b>OFFICE OF PETITIONS</b>
Keiri Yoshioka and Chris Toshimi Mizumoto	:	DECISION ON PETITION
Application No. 10/820,165	:	UNDER 37 C.F.R. §1.47(a)
Filed: April 6, 2004	:	
Attorney Docket No. 09868/0200586-US0	:	
Title: GAME MACHINE AND GAME	:	
SYSTEM	:	

This is in response to the petition under 37 C.F.R. §1.47(a)<sup>1</sup>, filed October 22, 2004.

On April 6, 2004, the application was deposited, identifying Keiri Yoshioka and Chris Toshimi Mizumoto as joint inventors. No oath or declaration was included on filing. On June 22, 2004, a "Notice to File Missing Parts of Nonprovisional Application – Filing Date Granted" (Notice) was mailed, indicating that a fully executed oath or declaration, a surcharge of \$65.00, the basic filing fee, and additional claim fees were required. This Notice set a two-month period for reply.

With the instant petition, Petitioner has also submitted the petition fee, the surcharge associated with the late submission of an oath or declaration, the basic filing fee, and the fee for the filing of additional claims. Petitioner has also included a two-month extension of time to make timely this response, as well as a declaration which has been executed by joint inventor Mizumoto, the last known address of non-signing inventor Yoshioka, and a copy of a letter which was sent to the non-signing inventor.

<sup>1</sup>A grantable petition under 37 C.F.R. §1.47(a) requires:

- (1) the petition fee of \$130;
- (2) a surcharge of either \$65 or \$130 if the petition is not filed at the time of filing the application, as set forth in 37 CFR § 1.16(e);
- (3) a statement of the last known address of the non-signing inventors;
- (4) either
  - a) proof that a copy of the entire application (specification, claims, drawings, and the oath or declaration) was sent or given to the non-signing inventor for review and proof that the non-signing inventor refuses to join in the application or
  - b) proof that the non-signing inventor cannot be found or reached after diligent effort;
- (5) a declaration which complies with 37 CFR §1.63.

Petitioner has met each of the 5 requirements above.

The petition is **GRANTED** and this application is hereby accorded Rule §1.47(a) status.

As provided in Rule 1.47(a), this Office will forward notice of this application's filing to the non-signing inventor at the addresses given in the petition. Notice of the filing of this application will also be published in the Official Gazette.

After this decision is mailed, the application will be forwarded to Technology Center 3700 for further processing.

The general phone number for the Office of Petitions which should be used for status requests is (571) 272-3282. Telephone inquiries regarding *this decision* should be directed to the undersigned at (571) 272-3225.



**Paul Shanowski**  
**Senior Attorney**  
**Office of Petitions**  
**United States Patent and Trademark Office**